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Practitioner's Docket No. 12010

JUL 26 2004
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: HEINRICH BOLLMANN ET AL

Application No.: 09 456,371 Group No.: 1771

Filed: December 8, 1999 Examiner: V. Chang

For: Composite Elements Comprising (i) Thermoplastic Polyurethane
and (ii) Microcellular Polyurethane Elastomers

Commissioner for Patents

P.O. Box 1450, Alexandria, VA 22313-1450

OFFICIAL

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 1.191)**

NOTE: An appeal may be based on one rejection in a prior application and one rejection in a continuing application. 62 Fed. Reg. 53,191, at 53,167; 1203 O.G. 63, at 93 (Oct. 10, 1997).

NOTE: There is no requirement for a notice of appeal to: (1) be signed; or (2) identify the appealed claims. 62 Fed. Reg. 53,131, at 53,167; 1203 O.G. 63, at 94 (Oct. 10, 1997).

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed July 16, 2004, finally rejecting claims 19, 20, 22, 23, and 30.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

other than a small entity.

a small entity.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 *

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Date: 7/26/04

Lori D. DeGiulia

(type or print name of person certifying)

* Only the date of filing (§ 1.8) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.8(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

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4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 330.00

Extension fee (if any) \$ _____

TOTAL FEE DUE \$ 330.00**5. FEE PAYMENT** Attached is a check money order in the amount of \$ _____ Authorization is hereby made to charge the amount of \$ 330.00 _____ to Deposit Account No. 23-3425 to Credit card as shown on the attached credit card information authorization form PTO-2038.

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6. FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

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SIGNATURE OF PRACTITIONER

(Type or print name of practitioner)

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